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14 IN THE UNITED STATES DISTRICT COURT  
15 EASTERN DISTRICT OF CALIFORNIA

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17 UNITED STATES OF AMERICA, Plaintiff,  
18 v.  
19 JOHN JAMES JOSE, Defendants.

20 CASE NO. 1:24-CR-00046-NODJ-BAM  
21 JOINT STATUS REPORT AND STIPULATION  
22 REGARDING EXCLUDABLE TIME PERIODS  
23 UNDER SPEEDY TRIAL ACT; ORDER  
24 DATE: June 26, 2024  
25 TIME: 1:00 p.m.  
26 COURT: Hon. Barbara A. McAuliffe

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28 **STIPULATION**

1. This case set for status conference on June 26, 2024. As set forth below, the parties now move, by stipulation, to continue the status conference to August 14, 2024, and to exclude the time period between June 26, 2024 and August 14, 2024 under the Speedy Trial Act.

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30 **STIPULATION**

31 Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

32 2. By previous order, this matter was set for status conference on June 26, 2024. By this stipulation, defendants now move to continue the status conference until August 14, 2024, and to exclude time between June 26, 2024, and August 14, 2024, under Local Code T4.

33 3. The parties agree and stipulate, and request that the Court find the following:

34 a) The government has represented that the discovery associated with this case

1 includes numerous investigative reports, witness interviews, and audio/video evidence. All of  
2 this discovery has been either produced directly to counsel and/or made available for inspection  
3 and copying.

4 b) Counsel for defendant desires additional time to consult with his/her client,  
5 review the charges, conduct investigation and research, review discovery and discuss potential  
6 resolution of the case.

7 c) Counsel for defendant believes that failure to grant the above-requested  
8 continuance would deny him/her the reasonable time necessary for effective preparation, taking  
9 into account the exercise of due diligence.

10 d) The government does not object to the continuance.

11 e) Based on the above-stated findings, the ends of justice served by continuing the  
12 case as requested outweigh the interest of the public and the defendant in a trial within the  
13 original date prescribed by the Speedy Trial Act.

14 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
15 et seq., within which trial must commence, the time period of June 26, 2024 to August 14, 2024,  
16 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]  
17 because it results from a continuance granted by the Court at defendant's request on the basis of  
18 the Court's finding that the ends of justice served by taking such action outweigh the best interest  
19 of the public and the defendant in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: June 17, 2024

PHILLIP A. TALBERT  
United States Attorney

Dated: June 17, 2024

/s/ Cristobal Perez  
Cristobal Perez  
Counsel for Defendant  
John James JOSE

## **ORDER**

IT IS SO ORDERED that the status conference is continued from June 26, 2024, to **August 14, 2024, at 1:00 p.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe**. Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

IT IS SO ORDERED.

Dated: **June 20, 2024**

/s/ Barbara A. McAuliffe

UNITED STATES MAGISTRATE JUDGE